

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Criminal Action No. 06-65-01-GMS
)	
WILLIAM KURTIS PARSON)	
)	
Defendant.)	

MOTION FOR CONTINUANCE OF SUPPRESSION HEARING AND TRIAL

COMES NOW the United States of America, by and through its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Edmond Falgowski, Assistant United States Attorney for the District of Delaware, and requests that the Court postpone indefinitely the suppression hearing and trial in this matter. In support of this motion, the United States submits the following:

1. A suppression hearing and trial in this matter are scheduled, respectively, for November 29, 2006, and February 12, 2007.
2. On November 17, 2006, Eleni Kousoulis, Esquire, counsel for the defendant, advised that the defendant accepted a plea offer which had been made by the U.S. Attorney's Office. That plea offer provides that the U.S. Attorney's Office will dismiss the Indictment, as it relates to the defendant, if the defendant enters a guilty plea in Superior Court for Kent County, Delaware, to carrying a concealed deadly weapon, a felony. The plea agreement further provides that the Attorney General's Office for the State of Delaware will recommend probation at sentencing, and that the U.S. Attorney's Office will move to dismiss the federal Indictment upon the defendant's sentencing in Superior Court.

3. The United States requests that the suppression hearing and trial be postponed so as to facilitate the defendant's entry of his guilty plea and sentencing in Superior Court.

4. The United States is prepared to submit to the Court monthly status reports.

5. The Speedy Trial Act provides that the Court may exclude time under the Act "on the basis of his findings that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial." 18 U.S.C. § 3161(h)(8)(A). The Act also provides that the Court may exclude time under the Act for "delay resulting from consideration by the Court of a proposed plea agreement to be entered into by the defendant and the attorney for the government." 18 U.S.C. § 3161(h)(1)(I).

6. The United States has reviewed this motion and proposed Order with Eleni Kousoulis, Esquire, counsel for defendant. Counsel has advised the Government that she is in agreement with the Motion and proposed Order, and waives all relevant delay under the Speedy Trial Act.

WHEREFORE, the United States respectfully requests that the Court postpone indefinitely the suppression hearing and trial so as to facilitate the defendant's guilty plea in Superior Court pursuant to the defendant's agreement with the United States Attorney's Office for the District of Delaware.

COLM F. CONNOLLY
United States Attorney

By: 

Edmond Falgowski
Assistant United States Attorney

Dated: 11-21-06

CERTIFICATE OF SERVICE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM KURTIS PARSON

Defendant.

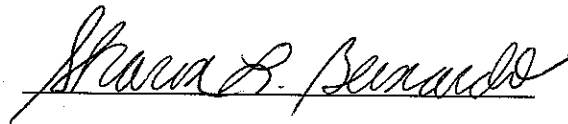
Criminal Action No. 06-65-01-GMS

I, Sharon L. Bernardo, employee with the United States Attorney's Office, hereby certify that on November 21, 2006, I electronically filed the foregoing:

MOTION FOR CONTINUANCE OF SUPPRESSION HEARING AND TRIAL

with the Clerk of the Court using the CM/ECF which will send notification of such filing to:

ELENI KOUSOULIS, ESQUIRE
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First Federal Plaza, Suite 110
704 King Street
Wilmington, Delaware 19801
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM KURTIS PARSON

Defendant.

Criminal Action No. 06-65-01-GMS

ORDER

WHEREAS, the United States has requested that the Court postpone indefinitely the suppression hearing and trial, as the defendant has accepted an offer from the U.S. Attorney's Office to enter a guilty plea to a felony in Superior Court for Kent County, Delaware; and

WHEREAS, the defendant has no objection to and is in agreement with the motion; and

WHEREAS, under the Speedy Trial Act the parties waive the relevant period of delay,

IT IS ORDERED this _____ day of _____, 2006, that the Court will postpone indefinitely the suppression hearing and trial; and

IT IS FURTHER ORDERED that the United States will provide the Court with monthly status reports commencing no later than 30 days from the date of this Order; and

IT IS FURTHER ORDERED, pursuant to 18 U.S.C. §§ 3161(h)(1)(I) and (8)(A), that the delay resulting from this Order is excludable in computing the time within which the defendant's trial must be commenced under the Speedy Trial Act.

Honorable Gregory M. Sleet
United States District Court